

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS

Civil Action No. 04-10996 RWZ.

HARVEY HOLMES and
ANNIE HOLMES,

Plaintiffs,

v.

VOLVO TRUCKS NORTH
AMERICA, INC., and
ANDCO, INC.

Defendant.

**PLAINTIFF'S ASSENTED TO MOTION FOR AMENDMENT TO THE
COMPLAINT**

Now comes the Plaintiff in this matter who moves this honorable Court to amend its complaint in the following manner:

I. To add paragraph 43a. Defendant Volvo Trucks North America, Inc. its agents, servants, or employees, was negligent in its performance maintenance, warranty, and/or repair work performed on the subject truck which caused the wheel to fall off the truck while it was being operated, causing the injuries to the Plaintiff.

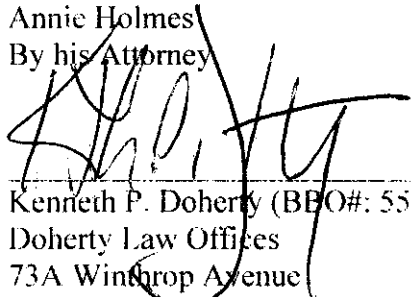
II. To add paragraph 48a. Defendant Andco, Inc. its agents, servants, or employees, was negligent in its performance of maintenance, warranty, and/or repair work performed on the subject truck which caused the wheel to fall off the truck while it was being operated, causing the injuries to the Plaintiff.

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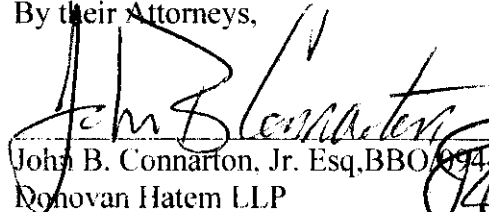
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In support thereof, Plaintiff states that during discovery facts as to repairs to the subject vehicle before the accident by the Defendants were discovered necessitating the above amendments.

Plaintiff Harvey Holmes and
Annie Holmes
By his Attorney

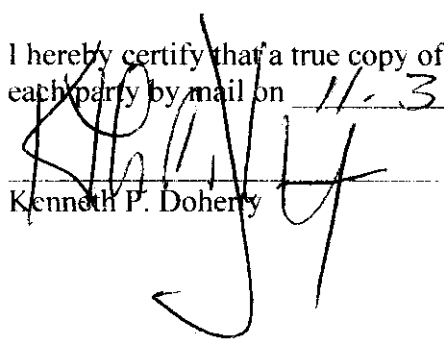

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Defendants Volvo Trucks North America, Inc.
and Andco, Inc.
By their Attorneys,


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Boston, Ma. 02210
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Certificate of Service

I hereby certify that a true copy of the above document was served upon the attorney of record for each party by mail on 11-3, 2005.


Kenneth P. Doherty

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